PROTEST LOU DILLON'S 2:05.

BONNERS SAY BALL BEARINGS AND WIND SHIELD WERE USED.

They Ask That the Record, Which Eclipsed Maud S.'s Feat, Be Rejected, As Not Performed Under the Same Conditions-Charge Against Mr. Billings.

Robert E. and Frederic Bonner, sons of the late Robert Bonner, have lodged with the secretary of the American Trotting Register Association a protest against the official recognition of the record made by C. K. G. Billings's mare Lou Dillon, which, at the Glenville track at Cleveland, last September, started to beat the record of 2:08%, made by Robert Bonner's great mare Maud S. eighteen years before. Lou Dillon trotted the mile in 2:05.

As all those interested in the trotting horse know. Maud S. made her record hitched to an old fashioned, high wheel sulky, and was not aided in her performance by any such new fangled arrangements ball bearing axles and wind shields. Efforts had been made before by kings and queens of the trotting turf to duplicate he conditions under which the peerless daughter of Harold and Miss Russell performed and to lower her record. Lou Dillon alone succeeded in beating Maud S.'s time, but the Billings mare did not trot under the same conditions as did

The protest of Robert Bonner's Sons was mailed to William H. Knight, secretary of the American Trotting Register Association, on Dec. 11, and is as follows:

ciation, on Dec. 11, and is as follows:

DEAR SIR: We respectfully protest against the registering as a record, by the American Trotting Register Association, the performance of Lou Dillon, when, in an attempt to beat Maud S. Stime of 2:08½ to a migh wheel sulky, she trotted a mile at Cleveland on Sept. 12, 1903, to a high wheel sulky in 2:05.

There are two conclusive reasons why this record should be rejected. Lou Dillon was amounced to go against Maud S.'s performance of a mile in 2:08½ to an old fashioned, high wheel sulky, and this meant that Lou Dillon would start under the same conditions that obtained when Maud S. trotted her mile in 2:08½. Now, unless Lou Dillon did start under exactly the same conditions as Maud S. did, she is not entitled to any record on that occasion, because she did not comply with the conditions of the announcement, and therefore, not having started under the exact conditions that Maud S. started, she could not have beaten Maud S.'s performance, and the time Lou Dillon made should not be accepted and recorded as a record.

Now, as to the facts of the case: First, a wind shield preceded Lou Dillon, but no wind shield was used in Maud S.'s performance. This alone should be sufficient to invalidate the record as being contrary to the announcement, in consequence of Maud S. having had no wind shield.

Second—The ball bearing axles. According to our information and belief, Lou Dillon was assisted by a sulky with ball bearing axles. The source of our information, which led us to this belief, is as follows:

This fall, a day or two before the Memphis meeting, Mr. Mansway, the manager of the Charles S. Caffrey company, wagon and sulky builders, called our Mr. Robert E. Bonner on the telephone and said that Mr. Billings had been in town a few days before, and Mr. Billings knowing that the Caffrey company had haud S.'s sulky. Mr. Mansway further said he did not know how the fact of Lou Dillon's sulky having ball bearings had leaked out, teat the sulky was ordered to say nothing about it, a DEAR SIR: We respectfully protest against

his company.
Our Mr. Robert E. Bonner told Mr. Man-sway if Mr. Billings wanted the loan of Maud S.'s sulky for Lou Dillon, he couldhave it for

S's sulky for Lou Dillon, he couldn't the asking.

Because we believe these facts to be true, namely: That a wind shield preceded Lou Dillon in this performance, and also that hall bearing axles were surreptitiously inserted in the high wheel sulky which she drew, we ask that the record Lou Dillon made in this performance be rejected. Yours very truly,

Robert Bonner's Sons.

In the days when Maud S. was queen of the American trotting turf, no such things as ball bearings for the hubs of the wheels of a sulky were known. At least, there were no such bearings in the hubs of the wheels of Maud S.'s sulky.

And yet, according to Mr. Bonner's letter, it appears, that Mr. Billings not

and yet, according to Mr. Bonner's letter, it appears, that Mr. Billings not only knew ball bearings had been put in the hubs of the wheels of the sulky which his mare was to draw, but he also became very much annoyed when he learned that the fact had become public property. In a published interview not long after Lou Dillon had tried for Maud S.'s record, Mr. Billings said that he did not know whether the market was fitted with hall bear. he mare's sulky was fitted with ball bearings or not. So far as is known, Mr. Billings has not, up to date, repudiated this inter-

iew. Lou Dillon was also belped along in her performance by a running horse driven by Doc. Tanner and attached to a sulky fitted wind shield. Besides this, when she with a wind shield. Besides this, when she struck the head of the stretch, she was followed to the finish by another runner driven by McCoy. Of course, the wind shield was not known in the days of Maud S., and no such contrivance helped her along in her wonderful journey.

It occurred to many at the time Lou Dillon made her trial that it was most unfaviruation.

made her trial that it was most unfortunate to say the least, that, while the wonderfu little mare drew a high wheel sulky, Mr. Billings permitted her to have the advantage of a wind shield accompaniment, no matter how little or how great that advantage

point was that the Billings mare, according to announcements which had been sent broadcast over the country, ing to be sent against Maud S.'s was going to be sent against Maud S.s. record under exactly the same conditions. No one, of course, knew better than Mr. Billings that the Bonner horse had no such advantage as the wind shield might give, and wonder was expressed that the owner of Lou Dillon would permit the use of any such contrivance. Mr. Billings has yet to explain why he did.

Millard Saunders, who drove Lou Dillon in her trial against the record of Maud S., was quoted in the Boston Journal of Dec. 20, as saying that no wind shield was used to help Lou Dillon along. Here is what Saunders, speaking at Memphis, Tenn.,

Dec. 19, said:
"I could not say, to save my life, whether e sulky Lou Dillon pulled in 2:05 on the eveland track had ball bearing hubs or bt. I do know that no wind shield was sued, and I do say that I am willing to bet \$5.000 and put up the money now, that Lou Dillon can pull that same sulky, which, by the way, weighed fifty-five pounds, twelve pounds more than the Maud S. sulky, in less than 2.05."

Then rather diverting from the principal Then, rather diverting from the principal

points at issue, Saunders continued:
"Members of the Bonner estate have
offered for years \$5,000 to any driver that broke the record of Maud S. I broke it fair with Lou Dillon, but I have never seen the color of the money that the Bonners have promised. Now, if they mean business about that \$5,000 offer, let them offer it in earnest and I'll bet them or any one else that I can take the same sulky that Maud S. pulled—and it is still in good order—and drive Lou Dillon in less than 2:05 over the Glenville track, which was the track over which both records were made." that interview with Saunders was irculated, a good many persons have condered why somebody connected with Mr. Billings did not make an attempt to get the sulky used by Maud S. for Lou Dillon's use, instead of waiting four months

and then stating that same sulky.
Robert E. Bonner is authority for the statement that Mr. Billings never made statement so far as he knows, to get any attempt, so far as he knows, to Maud S.'s sulky for Lou Dillon's use. least, Mr. Billings, or no one representing him made any application to Mr. Bonner or anybody connected with Robert Bonner's estate for the use of the sulky. The vehicle was then where it is now, in the barn on the Bonner farm at Tarrytown, and Mr. her than that, he can have it next year, f he will agree to send his wonderful mare against Maud S.'s record under exactly the conditions in which Maud S. worked.

In the New York Evening Post of Dec. 18 Billings was quoted in indirect dis-

and then stating what they might do with

course as saying that he tried to get the sulky drawn by Maud S., but that it had stilky drawn by Maud S., but that it had so many engagements that he could not secure it. Robert E. Bonner says that he can hardly believe that Mr. Billings made any such statement. If he did, Mr. Bonner is at a loss to know what he meant. The old Maud S. sulky is not a travelling circus, or a side show thereto, and, so far as Mr. Bonner knows, it hasn't had any "engagements" since it was packed away in the Bonner barn at Tarrytown.

There is one other alleged fact connected

There is one other alleged fact connected with the Lou Dillon performance that has hitherto escaped notice. The newspaper reports of Lou Dillon's trial not only told of the use of the wind shield, but also told of the use of the wind shield, but also told of the extra runner employed to urge the mare along through the homestretch. Rule 58, section I., of the rules of the National Trotting Horse Association, reads:

"When a horse performs against time, it shall be proper to allow any other horse to accompany him in the performance, but not to be harnessed with or in any other way attached to him."

There are two big trotting horse asso-

There are two big trotting horse associations now, one the old or National association, and the other the American association. For the first time in its existence

ciation. For the first time in its existence the Glenville track operated under the rules of the American association this year. It is said that the rules of the American against can association regarding trials against time are practically the same as those of the National association. If that be true, then a rule for racing against time was violated when a second horse was made use of to help Lou Dillon along. This matter has also been called to the attention of the American Trotting Register Association.

The sons of Robert Bonner say that they trotting turf, that any trial to beat Maud S.'s record shall be fair and above board and according to the rules of the trotting turf. They are even inclined to the belief that Lou Dillon can meet the conditions under which Maud S. trotted and beat her

under which Maud S. trotted and beat her record, but they want to see the Billings mare do it before the crown of Maud S. is transferred to the head of Lou Dillon. Furthermore, they recall the fact that when Lou Dillon trotted at the Brighton Beach track last August against time without the aid of a wind shield, her record was 2:04, or thereabouts. A few days later she trotted at the Readville track, near Boston, preceded by a sulky fitted with a wind shield, and her time was 2:00 flat. A comparison of the two performances would seem to indicate that a wind shield does make a difference.

Regarding Saunders's statement that the Regarding Saunders's statement that the

Bonner estate had offered \$5,000 to any driver whose horse should beat Maud S.'s record, Robert E. Bonner made this state-

ment yesterday:

"The Robert Bonner estate never made any such offer. Fourteen or fifteen years ago my father, in talking one day about the possibility of the two-minute trotter, made the statement that he did not expect, in his lifetime, to see a horse, rigged as Maud S. was rigged, trot a regulation track in 2:05. Then he added that he would give \$5,000 to the driver of any horse which should beat Maud S.'s record. The offer died when my father died, and his estate has never renewed it."

HEINZE ACCUSED OF LOOTING Alleged Taking of Ore From the Davitt Mine Through the Rarus Workings. BUTTE Mon., Dec. 28 .- For several days

inspectors for the Amalgamated and Butte and Boston Copper companies have been engaged in making examinations and surveys of the underground workings of the Rarus mine, leading into the Michael Davitt ground, owned by the Butte and Boston, to ascertain whether or not the Heinze people had been trespassing on the Davitt's ore bodies.

It has been discovered that parties have for a long time been looting the Davitt through secret workings from the Rarus, and vast quantities of ore running 30 and 40 per cent. copper have been taken out. According to the report of the inspectors, for a distance of nine floors above the 700-foot level of the Davitt mine all the ore

has been taken out, and from the 700 down to the 800 and below, the ground has been worked out also.

Employees of the Rarus mine tried to lead the inspectors away from the place where the work was being done, but when they insisted on going in that direction the men laughed and offered no further objection. Men were found at work and six machine drills were in use. The excavations were not even timbered, the in-

spectors saying the work was evidently done in a hurry.

A formal notice was served on Mr. Heinze to-day to stop the work, and he replied by letter that he had no control over the opera-tions and was not interested in them. His olea has been that he has sold that part of the plea has been that he has sold that part of the Rarus mine to the Johnstown Mining Com-pany of New York and that he has no con-trol over the acts of the latter, but the Amalgamated people say that it is a mere subterfuge. Contempt proceedings are to be brought against Heinze and his Montana Ore Purchasing Company. Against whom

De brought against Heinze and his Montana
Ore Purchasing Company, against whom
the injunction order and orders of survey
were directed by the Federal court.

The Amalgamated attorneys say the
looting of the Davitt is one of the most
flagrant violations of a court's order they
have ever known, but they admit there is ave ever known, but they admit there i the work until the court can get action on the contempt proceedings.

BROKER RANKIN MISSING. His Wife Reports His Disappearance to the

Brooklyn Police. Mrs. Wilbur Rankin of 200 Baltic street Brooklyn, asked the police last night to find her husband, who, she said, had been missing since Dec. 17. She said that he was a broker in Manhattan.

The Rankins have a summer home at Sea Cliff, L. I., from which they returned on Nov. 1. Since that time, Mrs. Rankin says, her husband has taken several sums from her savings to use in his business. She says that on the day he disappeared he had \$500 which she had given him.

Rankin is 40 years old. He has four children. Their home in Baltic street is an

Monitors to Be Made Ready for Service.

WASHINGTON, Dec. 28.-The monitors Miantonomoh and Puritan, now at the League Island Navy Yard, are to be made ready for service and laid up "in ordinary" until crews can be obtained for them. The naval officials say that they are to be attached to the coast squadron, which is composed mainly of monitors and other coast defence vessels, and that their preparation for service has no other significance. Some of the civil war monitors at the League Island yard are also to be made ready service. This is explained by the sta ment that they can be better cared for if laid up "in ordinary."

Died in Elevated Station.

James H. Cornell, a driver, 45 years old, who lived at 269 Railroad avenue, Jersey City, died yesterday afternoon in the elevated railroad station of the Ninth avenue road, at Christopher street, apparently of heart disease. He boarded the train at heart disease. He boarded the train at Cortlandt street, became unconscious and was removed to the waiting room when Christopher street was reached. He was dead when an ambulance doctor got there.

a new rule adopted by the Public Service Corporation of New Jersey will cut off 3,000 free passes used on its trolley lines. A notice was issued in Newark yesterday to the effect that the free transportation list had assumed such enormous proportions the company had decided to call in the

Walked 40 Hours Without Rest.

ROCK ISLAND, Ill., Dec. 28. - A feat of physial endurance was completed to-day by Hercal endurance was completed to-day by Her-man Schaele of this city. He made a wager as to how long he could walk without rest. He began his task on Friday morning, and did not give up until he had been on his beat, a block in length, for forty hours. Schaele was greatly fatigued, but is suffering no ill-effects.

INSULTED, SAYS MRS. SEVERNE

MADE, PRISONER ON NEGRO SER-VANT'S TESTIMONY.

Warrants for Relatives Who Live With Her on Riverside Drive-Pool Refused to Hear Her Side of Row-Her Brother-in-Law Former B. R. T. Superintendent

Mrs. Hattie M. Severne of 351 West Seventy-first street, a sister-in-law of W. W. Wheatley, formerly superintendent of the Brooklyn Rapid Transit Company, and now general manager of the New Jersey Public Service Corporation, is a prisoner on parole from the West Side police court. She was practically made a prisoner yesterday by Magistrate Pool, charged with assaulting one of her colored servant girls.

After taking the complaint against Mrs Severne, Magistrate Pool issued a warrant for every person in the Severne household, except the colored cook, without giving Mrs. Severne an opportunity to tel! her side of the story. The warrant wasn't executed last night. All the persons it calls for, however, will be on hand in the police court this morning when the case against Mrs. Severne is called

Fannie Austin, the colored housemaid, ias been in the employ of Mrs. Severne and her sisters for two months. At noor Sunday she went out of the house and didn't return until vesterday noon, when her mistress took her to task. Besides having stayed away from the house, Mrs. Severne says, the girl showed signs of having been intoxicated "Where have you been?" demanded Mrs.

Severne. "Over at my brother's in Plainfield." re-

plied the servant. "Well, I employ you, not he," said Mrs Severne, and the girl said she'd quit. Mrs. Severne says she had loaned the Austin girl \$10 last week and didn't propose to have her eave just then. The girl, however, said that she proposed to pack her trunks and get out. On her way to the stairs she met one of Mrs. Severne's sisters, and there was a clash. Mrs. Severne went to her sister's assistance, and all the rest of the family joined in.

and sent word to the West Sixty-eighth street police station for help. When Policeman Frank Brady got to the house the servant had gone. Several ornaments of servant had gone. Several ornaments of the parlor had been smashed and the room

was in disorder.

Policeman Brady advised Mrs. Severne that her servant might return and that it would be a good scheme to go to the police court and get a warrant. He went along with her to see that there was no more trouble.

When they got to the police court they
When they got to the police court they

found Fannie Austin already there. All three got before Magistrate Pool together, but the servant got in the first word. "She fit me," she told the Magistrate. This Mrs. Severne fit me. She made my By degrees the Magistrate got the story

from the girl. She said that when she went to the West Seventy-first street house went to the West Seventy-inst street house she was set upon by six women and a man and beaten. As she told her story \mathcal{\text{tr}}\sqrt{ listen to a word.
"What kind of a house is this?" asked
Magistrate Pool. "Is it a disorderly

No, not exactly," said the servant

"You can't say anything now," broke in he Magistrate. "You can speak at the the Magistrate. proper time."

When the complaint charging Mrs.
Severne with assault was ready, the party
went before the Magistrate. The defend-

went before the Magistrate. The defendant made another appeal to the Magistrate to be heard, but with no success.

"Look here," he said, reading over the complaint. "You haven't got it all in. I want a warrant for the rest of these six or seven persons this complainant mentions."

The clerk took the papers and made out.

The clerk took the papers and made out a warrant for the arrest of "Hattie M. Severne (who was already a prisoner), Marie Severne, Minnie Severne, Annie Wheatley, and several other people unknown to de-ponent." The complainant said she could

ponent." The complainant said she could not give the names in any better form.
"I don't want that officer to serve this warrant." said the Magistrate, pointing to Brady. "I want one of the court officers to take it." Then he signed the warrant for night service and called Sergt. Lane to instruct him to have it served.
"Can't I have a chance to say anything?" asked Mrs. Severne. "Have I not the same rights as this colored woman? I want to asked Mrs. Severne. "Have I not the same rights as this colored woman? I want to "Not now," said Magistrate Pool. "You

will have your chance to-morrow. I don't want to lock you up. I will parole you intil to-morrow Mrs. Severne hurried out of court with Policeman Brady. There she broke down and cried. She said she had been grievously insulted. She declared that the persons in

her house were related to her. Besides Mr. Wheatley, who lived in her house, she said, there was another brother-in-law, who was the manager of a big downtown The warrant for Mrs. Severne's sisters

wasn't executed last night. It was said at the house, 351 West Seventy-first street, ist off Riverside Drive, that Magistrate Pool would see every one called for in the warrant in court in the morning.

Mrs. Severne went to a physician last night to have her arm, bitten by the servant,

The Weather.

The cold wave was carried off to the eastward yesterday, and although the temperature in the early morning in the Middle Atlantic and New England States was from 10 to 20 degrees below the freezing point, it grew warmer every hour Freezing temperatures reached to southern Ala bams. It was warmer in all the Central States, but was considerable colder in the morning in Minnesota and the districts around the Lakes. There was a storm of moderate force over Minne sola, attended by light snow in Minnesola, Wis-consin and northern Michigan, and threatening conditions were spreading over the Lake regions: lsewhere over the country the weather was fair. should be warmer in this section for the nex In this city yesterday it was fair, and warme.

after the early morning; lowest temperature 12 degrees; average humidity 52 per cent.; wind brisk northwest, shifting to southwest; barometer, corrected to read to sea level, at 8 A. M , 30.05; 3 The temperature yesterday, as recorded by the fficial thermometer is shown in the annexed table

9 A. M. 1902. 18° 19° 6 P. M. 12 M. 18° 25° 9 P. M. 3 P. M. 21° 30° 12 Mid. WASHINGTON FORE CAST FOR TO DAY AND TO MORROW For eastern New York, Pennsylvania and castern nereasing cloudiness and warmer to day; rain or now to-night and to-morrow, tresh east to south For New England, fair to-day and warmer, ex

nept in north and east Maine; snow to night or to-morrow; warmer in north and east Maine; fresh southwest to south winds. For the District of Columbia and Maryland, air and warmer to-day; rain or snow to-night or o-morrow; light to fresh east to south winds. For western New York, snow and warmer to-day; low to-morrow; fresh southwest to west winds For Delaware and New Jersey, fair and warmer to-day; rain or snow to night or to-morrow; fresh

THE amateur cocktail mixer is a greater

bore than the amateur If you like to serve a cockthat makes a man smack his lips in delightdon't mix it yourself. GOLD LION Cocktails (ready to ice) never vary. GOLD LION Cocktails—Seven kinds—Manhattan, Vermouth, Whiskey, Martini, Tom Gin, Dry Gin—and the American

JIMEL MANSION NOW THE CITY'S

Of good wine merchants.

The Cook & Bernheimer Co.

OPENED WITH ITS GROUNDS AS A PUBLIC PARK.

One of New York's Chelcest Jewels." Senator Depew Calls It in Throwing Open the Place-Recalls the Scenes and Romances It Saw-All the Patriots There.

The Roger Morris Jumel property on Washington Heights was thrown open vesterday as a public park. There were long addresses on the personages and times of the Revolution, and the representatives of the rival patriotic societies, the Daughters of the American Revolution, the Daughters of the Revolution, the Sons of the American Revolution, the Sons of the Revolution and the Colonial Dames were there in full force.

Each organization believes that the his oric spot will be placed under its control. was expected that Park Commissioner Willeox would decide yesterday which society should control it, but the Commissioner had been informed that it was a thorny question and that, no matter what choice he made, he would get himself disliked. He took counsel with the other Park Commissioners, and they decided to let Albany settle it.

The warmest rivalry is between the Sons of the American Revolution and the Daughters of the American Revolution. "We ought to have it," said Louis H ornish, secretary of the Empire State Society, S. A. R. "We have been working hard for it. We had to stand around in firty political quarters, and put our fingers nto political messes to get the city to buy the property. We have been the workers and we ought to have the credit."

The daughters of both the American Revolution and the Revolution make like assertions. "We are going to have it, Mrs. Donald McLean declared. Mrs. Daniel Manning, president of the D. A. R., said that he D. A. R's have already "put their tamp" upon the property.

Park Commissioner Willeox presided at the opening exercises. The mansion was opened by Senator Depew and closed by Col. Walter S. Logan, president of the Empire State Society of the Sons of the American Revolution. One of the most interested persons there was Mrs. Julius Henry Carvl, formerly Miss Eliza Chase. granddaughter of Mme. Jumel. She

to London, and in some of these respects surpasses that metropolis. It holds the front rank in its educational system, the number of students in its universities, colleges and se hools, and in its charities. But it is unique as compared with all cities of the Old World, both great and small, in that it has preserved but three monuments of historic interest. It has little besides Fraunces's Tavern, St. Paul's Church and this recently purchased Jumel Munsion. But our three monuments, though hallowed by so little antiquity, though insignificant in their architecture and dimensions, are suggestive of everything brightest sions, are suggestive of everything brightest and most hopeful in the story of civil and eligious liberty.
It was in St. Paul's that the early patriots

It was in St. Paul's that the early patriots of Colonial times and Washington, when President, worshipped. Frances's Tavern witnessed the assemblage of the solid men of New York who organized the Sons of Liberty and prepared for the Revolution. There also occurred the pathetic and memorable farewell of Washington to the officers of his army, while the story of this Jumel Mansion is the romance and history of many interesting periods in our national life. Here in this mansion and grounds we have a place in this mansion and grounds we have a place interesting periods in our national life. Here in this mansion and grounds we have a place which talks eloquently and all the world can listen. It speaks and portrays pictur-esquely Colonial and Revolutionary charac-ters and incidents and the story of American life from the Colonial period down to our open day. own day.
Nowhere else in our city can be found such

Nowhere else in our city can be found such concentration of history and romance as here. There are few structures in existence in our country whose rooms have echoed to the voices of so many people of eminence. The older we grow, and the more distant are the scenes of our beginning as a nation, the more precious are the places and things which recall the sacrifices and the principles of the men and the deeds of the Revolution. This estate becomes to-day the property of the citizens of New York. It will be a place of pillerimage, not only for our children and our children's children, but for visitors from all over the country. More than school books or history, more than biographies or lectures, it will tell the story and teach the lesson of the Colorial struggle against the usurpations of the Ministers of the crown; of Washington and the Continental array, of Hamilton and Constitutionals liberty, of the formation of the republic and its first President.

The great city will extend far and wide it will increase in wealth and majesty and nower; its public buildings and its palaces, its avenues and its parks, its warehouses and its wharves will grow greater in number, anopointment and splendor, but one of its original simplicity, to inspire patriotism, and one of divisional simplicity, to inspire patriotism, and one of divisional divisional culture and the democratic choicest lewels, forever maintained in its original simplicity, to inspire patriotism, good citizenship culture and the democratic spirit, will be this modest mension of our

Bishop Potter was to have tronounced bisnop Foter was to have pronounced the benediction, but pleaded illness. The Old Guard band discoursed patriotic music on the lawn all afternoon and the Veteran Artillery Corps and the Washington Con-tinental Guard, in picturesque buff and blue uniforms, stood guard.

A SOCIALIST SULLIVAN. Dies by Morphine, Professing Faith in the

Survival of the Fittest.

UTICA, Dec. 28.-A man who is believed to be Michael Sullivan of the Seventh ward. New York city, died at the General Hospital here last night from morphine poisoning. He applied for lodging at police head-quarters early last evening, and later took the poison, but whether with suicidal intent is not known. He had probably been addicted to the use of the drug and took an overdose. He was discovered in an uncon-scious condition on his bunk. In one of his hands was found the following note, umably written before he swallowed the drug: Protracted incurable disease has rendered

Protracted incurable disease has rendered existence intolerable. The law of life is the survival of the fittest. It is only through this process that eternal harmony prevalls. As with individuals, so with conditions. Industrial development has reached the stage where competition is not much longer possible. Less than 1 per cent. of the population controls 90 per cent. of its wealth, and millions will die by violence and starvation, but out of it socialism will be evolved. Competition kills competition. ion kills competition.

Sullivan was about 30 years old. A com-panion says he has a brother in New York

MURDERS HIS MOTHER-IN-LAW

JOSEPH EARDLEY SHOOTS MRS. LAWRENCE IN BRIDGEPORT.

Probably Went to Her Home to Kill His Wife. Who Had Left Him-A Son Who Is in the Last Stages of Consumption Tries in Vain to Keep the Murderer Out

BRIDGEPORT, Conn., Dec. 28.-Joseph Fardley shot Mrs. Elizabeth Lawrence, his mother in-law, in the left temple this afternoon at her home. 48 Booth street, and killed her. Norman, a son of the murdered woman, aged 19, who is in the last stages of consumption, and Thomas, another son, aged 10 years, were witnesses of the tragedy. The sick youth helped his mother hold

the door against the murderer, but, in his sick and weak condition, could be of little aid. The younger boy stood pulling at his mother's skirts when the murderer placed the revolver at the woman stemple and fired. The murderer was captured within an hour after the killing at Malley's saloon, a few blocks from the Eardley house. He was standing at the bar with a glass of beer before him when Policeman James Halpin, who had been sent out from police headquarters in search of the murderer, entered.
Halpin did not know Eardley, but the
general description helped him in the case.
"Isn't your name Eardley?" Halpin

asked.
"It is," calmly replied Eardley.
"Then you are the man I want," said the policeman. Eardley's hand dropped toward his overcoat pocket. The policeman grabbed it and in the pocket of the overcoat toward which the hand was going was the self-cocking revolver with which Eardley had killed the woman an hour before.

Eardley was unconcerned when placed Eardley was unconcerned when placed under arrest. He said to the policeman:
"Let me finish my beer and I will go with you to Police Headquarters."
He was told he had finished the job and then he said: "Is that so?"

The Lawrences are English people and are well to do. They have lived in the city for several years. William Lawrence, the huster of the several years. band, is employed by the Salls Textile Comband, is employed by the Salls Textile Company. There are two sons and one daughter, Emma, the wife of the murderer. The family live in a flat on the second floor at 48 Booth street, east side. Joseph Eardley and his wife have not lived together for some time. The wife is pretty and younger than Eardley. He is jealous of her and if any motive can be assigned for the murder of Mrs. Lawrence it is that Eardley believed that his mother-in-law had influenced his wife not to live with him. wife not to live with him.

wife not to live with him.

Of late Eardley has been boarding at a house opposite the Lawrence home and yesterday Mrs. Eardley heard that he had made a threat to kill her and himself and reported the fact to the police early this morning. They had the matter under investigation when the murrier courted. About noon to-day Eardley entered the Lawrence flat. Mrs. Lawrence was in the sitting room and Norman was in bed in an adjoining room.

adjoining room.

"Where is 'Brit'?" inquired Eardley, asking for his wife and using the pet name he always called her. He was told she was not there, but not being satisfied he went through all the rooms. There was no sign of anger about the man. Mrs. Lawrence followed him down the stairs. The door was open at the head of the stairs, and the sick boy lying in bed heard his mother

There was an angry reply—just what, the boy did not hear. Then the door was closed with a bang. A moment later he heard his mother running up the stairs

Henry Caryl, formerly Miss Eliza Chase,
"No, not exactly," said the servant
"But three or four women live there and
some times men come to see them."

"Take a complaint against the woman for
assault," directed the Magistrate.

"Won't your Honor listen to me?" asked
Brady. "This house bears a good reputation. It is beyond reproach. Let me explain this case to you."

The Magistrate wouldn't listen to a word
more. He had the policeman step down,
and then Mrs. Severne tried to get in her
say, but with no better success. She got
before the Magistrate and began:

"Can't I tell my side of this? I want to
make a complaint against this woman.
That is what I came here for. Surely a
reputable white woman may be heard as
well as a colored girl. I want to send for
my brother-in-law, W. W. Wheatley. He is

"You can't say anything now," broke in
the Magistrate.

"You can speak at the
proper time."

Henry Caryl, formerly Miss Eliza Chase,
a granddaughter of Mme. Jumel. She
was born in the old Jumel Mansion and is
the possessor of the famous collection of
Napoleonic relics made by Mme. Jumel.
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Napoleonic relics made by Mme. Jumel.
She possessor of the famous collection of
Napoleonic relics made by Mme. Jumel.

"Norman! Norman! Help! He

on the floor.

Norman without noticing what became of

the murderer knelt beside his mother and called for help. Thomas, badly frightened, ran into another room. For a long time he would not venture out,

and though his brother called again and again no help came. At last Thomas came from his hiding place and ran downstairs and summoned help.

The police think Eardley intended to carry out his threat to kill his wife and himself. Mrs. Eardley had been at home and left only

GOV. ODELL'S SCHEME TO SAVE. It is Believed to Be Connected With the Barge Canal Expenditures. ALBANY, Dec. 28. Gov. Odell to-day re-

fused to discuss his plan to save \$40,000,000

to the State or to make any comment upon the report that it was based upon having the counties carry \$50,000,000 of the canal bond's without receiving interest upon them. with barge canal expenditures. It is re-called here that when representatives of the canal interests and commercial bodies of the State called upon Gov. Odell some time ago to urge him to forward work as promptly as possible upon the barge canal, he told them that he would not countenance the saddling of the \$101,000,000 expenditure upon the State for fifty years if the debt could be paid of in a shorter time, and that he thought it could be. He intimated then that he would not favor even an issue of bonds to run for eighteen years, as he be-lieved that the cost of the work could be paid as it progressed through the indirect revenues of the State, augmented by short time loans of, say, \$10,000,000 a year.

time loans of, say, \$10,000,000 a year.

He pointed out that the interest the State would be called upon to pay on bonds carrying 3 per cent, would figure up to nearly \$55,000,000 in eighteen years if the bonds were all issued, while the interest on the short-time loans to be secured would be only a small part of this sum, and he had estimated that, worked this way, there a saving of about \$40,000,000 to

TOBIN ESCAPES DEATH CHAIR. A Commission of Experts Says He Was Insane When He Killed Capt. Craft.

AIRANY, Dec. 28.- The commission of experts appointed by Gov. Odell to inquire into the sanity of Thomas Tobin, awaiting execution at Sing Sing Prison for the murder of Capt. Charles Craft of Long Island in the Empire, a Tenderloin re-sort in New York city, about fifteen months ago, to-day reported to the Governor that Tobin was irsane. The experts declare that he is not only insane now, but was so, in their opinion, at the time he cut off his victim's head and tried to burn the body. Under these circumstances, Tobin's senwill be commuted by the Governor and he will be sent to a State asylum for insane criminals, either at Matteawan or Damemora. The commission which examined Tobin was composed of Dr. Morris C. Ashley, superintendent of the State Homoopathic Hospital at Middletown; Henry E. Allison, superintendent of the Henry E. Allison, superintendent of the Matteawan Hospital for Insane Criminals, and Oliver E. Dewing, superintendent of the Long Island State Hospital. Torch Explodes in Unfinished Building.

A gasolene torch exploded in the basement of the unfinished building at 52 East Twenty-third street last night and started a blaze that did \$1,000 worth of damage. While the fremen were extinguishing it the Fourth and the Lexington avenue cars For the Entire Week We Will Continue Our

Sale of Winter Overcoats for Men

AT REDUCED PRICES.

Box Overcoats, 42, 44 and 46 inches long, of kersey, cheviot, vicuna, melton or elysian, in black. Oxford or brown, at least one-half of which are silk lined throughout.

Formerly \$30.00, \$35.00 and \$38.00.

Belted Tourist Overcoats, 52 and 54 inches long, of fancy cheviot, cassimere and standard

Formerly \$25.00, \$28.00 and \$30.00.

All at **\$20.00**

Saks & Company

BROADWAY, 33D TO 34TH STREET.

FLAGS HALF MAST FOR GARTH. THE BIG THREE

BANK DIRECTORS ACT-NO SUC-CESSOR FOR THE PRESENT.

tatement That His Worry Was Not Over est works of the great masters. Business Matters Reaffirmed, Although Relatives Dissent-At Any Rate He Left No Financial Tangles. The directors of the Mechanics' National

Bank at 33 Wall street, of which the late Granville W. Garth was president, held a have kept in touch with the progress in plane meeting at the bank yesterday. Alexander E. Orr, the vice-president and acting president, presided. Formal approval was given to the stat ment by Mr. Orr on Sunday night about Mr. Garth's suicide and the condition of the bank. An appropriate minute, expressive of the directors' appreciation of Mr. Garth's work for the bank and of his worth as a man was spread upon the minute book.

No action was taken regarding the selecion of Mr. Garth's successor. The directors eel that it may be taken for granted that Mr. Garth jumped from the deck of the Mallory liner Denver on Christmas night. They have no legal proof of his death, however, and it was suggested that nothing be done about choosing a successor until the bank's attorneys had been consulted about the length of time that must elapse before the bank's officers may assume to have legal knowledge that Mr. Garth is

dead. The flag over the bank building was a half mast yesterday morning, as was also that of the City Trust Company of New York, whose building is at 86 Wall street, directly across the way from the Mechanics' National. This, it was learned, was done at the instance of the directors of the Trust Company as a mark of the sympathy of the officers of the one institution for those of the others, as well as a token of respect to the memory of Mr. Garth. Relatives of Mr. Garth continued to assert

relatives of Mr. Confined to assert yesterday that it was business cares that drove Mr. Garth to suicide. The bank's officers, on the other hand, insisted that it was worry over a matter that had nothing with his business. In speaking of to do with his business. It specifies this Mr. Orr said:
"I can only repeat what I said in my statement of yesterday, that worry over business had nothing to do with Mr. Garth's death. His mental derangement came about through a matter quite personal to himself. What that matter was I am not himself. What that matter was I am not this death to say since my knowledge of at liberty to say, since my knowledge of it came from Mr. Garth himself and he is dead. The refore, I must consider the

it came from Mr. Garth himself and he is dead. The referred all inquirers yesterday.

Icame from Mr. Garth himself and he is dead. The referred all inquirers yesterday.

To be in the war with Spain, was a participant in the Philippines war and commanded the marines in the Pekin expedition in 1890, at one time, after Col. Liseum of the Ninth Infantry was killed

Once and for all I want to save that never was a more devoted couple than Mr. and Mrs. Garth and that the wife was all that she could possibly have been to her husband. Garth had been worried over business affairs for a long time. Whether or not that drove him to suicide don't know."
President Kelsey of the Title Guaranty and Trust Company set at rest yesterday afternoon all rumors as to the condition of the estate of Mrs. Garth's father, James

afternoon all rumors as to the condition of the estate of Mrs. Garth's father. James Jennings McComb. Mr. Keisey said:

"The body of the McComb estate is in the custody of this company, and I can assure you that it is intact. It is under the management of four trustees, of which this company is one. Two others are J. Scott McComb, a son of the late James Jennings McComb, and David J. McComb, a nephew. The other trustee was Mr. Garth. It would not be possible for any one trustee to dissipate any of the estate.

"The recent decision of the Court of Appeals relative to Mrs. Herzog's part of the estate will have very little bearing on the work of the trustees. The property was so left that only the income is paid to the heirs for two generations. That is, the part received by each was to be held in trust during their lives and that of their children. On the death of the present grandchildren of Mr. McComb, or any that may be born later, the estate is to be divided among their surviving heirs."

WOMAN PAID SI FOR CAT. Wanted to Buy Sawdust-Out With Little

Clothing, but Plenty of Money.

young woman who rented an apartment at 682 East 159th street three weeks ago as Mrs. Jennie Monahan went out with her two-year-old baby boy last evening. She wore no hat or waist, and her baby had on only his indoor clothes. After walking around in the sharp cold for a few minutes she went up to some boys at 158th street and Elton avenue and said she would give a dollar to the boy that would bring her a cat. dollar to the boy that would bring her a cat.

The boys ran away and came back in ten minutes with a cat in a bag. She then went with the boys and the cat to the East 159th street house, but hardly had the procession got inside the outer door when the cat got out of the bag and escaped after scratching three of the boys.

The woman ran out, with her boy still in her arms rushed into a nearby saloon.

in her arms, rushed into a nearby saloon and accused the bartender of stealing the cat. The crowd laughed at her. She then went to a grocery store and said she wanted some sawdust. The groceryman noticed that her clothes were of fine quality noticed that her clothes was bulging with and also that her purse was bulging with bills. He ran out to get a policeman to care for her, but he had hardly gone when the woman ran out again. Policeman he woman ran out again. Policeman Muldoon of the Morrisania station found her wandering around ten minutes later and took her to the station.

She was held for intoxication and her child was sent to the Gerry society.

THE APOLLO

exertion, correctly and skill fully, a range of music from rag-time to the grandfew thoroughly artistic in B. CHASE struments that are mark-

edly popular, not only with

the retail plano dealers, but

also with all persons who

Not a new plane, but one that is making a new MELVILLE CLARK record-a record to be

PIANO a plane for less money than you can buy a Meiville Clark, but you cannot buy the equal of this plane, at the price asked by us, anywhere in

The Apollo Company. 101 Fifth Ave., bet. 17th & 18th Sts., NEW YORK.

ANDERSON & CO., 370 Fulton St., BROOKLYN, N. Y. COL. R. L. MEADE RETIRED. The President Declied to Allow Him to Withdraw His Application.

WASHINGTON, Dec. 28 .- In accordance rith directions issued by the President ir October, Col. and Brevet Brig.-Gen. Robert L. Meade of the Marine Corps has been placed on the retired list at the age of 62 years. The age limit of retirement in the corps is 64 years, but the President has authority to retire any officer two years before that time. There is an interesting story behind Col. Meade's relegation to the inactive list.

Col. Meade was an applicant for the commandership of the Marine Corps on the

mandership of the Marine Corps on the retirement of Major-Gen. Charles Heywood. When he learned that Col. Elliott, the pres-ent commandant, was to get the place, Col. Meade applied for retirement, and in his letter to the Navy Department in dulged in some remarks concerning its action in regard to Col. Elliott, which the Department considered offensive. Later he sought to withdraw his application for retirement, but the President, at the instance of the Department, declined to grant the request and directed that he be retired on reaching the age of 62 years.
Col. Meade entered the Marine Corps in 1862 and saw much service in the civil war He was taken pri-oner in the night attack on Fort Sumter in September, 1863, and exchanged in October, 1864. He served

and Mrs. Garth and that the wife was all that she could possibly have been to her husband. Garth had been worried there husband. Garth had been worried the wishers affairs for a long time. by circumstances somewhat similar to those in his own, was his brother. He was a nephew of Gen. Meade, the victor of Gettyaburg. Mrs. Meade also comes

of fighting stock, being a daughter of Rear Admiral Paulding.

While in command of the marine barracks at the Brooklyn navy yard a few years ago Col. Meade was tried by courtmartial on the charge of drunkenness and was ac-quitted. His brevet rank was conferred

Secretary Root Will Give a Dinner in Honor of Goy, Tail.

WASHINGTON, Dec. 18 .- A special reception and dinner in honey of Gov. Taft will be given by Secretary Reot on the evening of honor at a dinner in San Francisco on the occasion of his arrival therefrom Manila, and immediately afterward he will leave for Washington. Secretary Root's dinner in Gov. Taft's honor will be an elaborate affair to which all the army officers on duty

ACCUSES "TOYLAND" ACTOR. Father Says Von Kaynor Entired His Daugh

ter From Home. Edwin von Kaynor of 153 West Sixty-first street, a member of the chorus in "Babes in Toyland," was arrested yesterday afternoon on the technical charge of abduction. The complaint was made by Moses Cohen of 1420 Third avenue, who said that Von Kaynor had enticed his sixteen-year-old

Sixty-first street house, but she had gone from there. Von Kaynor was arrested and taken to the West Side police court. Magistrate Pool held him in \$2,000 ball for

op floor of the five story building at the corner of Liberty street and Trinity place, was burned last night. Many tenants of a arge tenement house next to the burning building were turned into the street. Always Remember the Full Name axative Bromo Quinine

Many Turned Into Street by Fire.

The print shop of McIlroy & Emmet, on the

Cures a Cold in One Day, Grip in 2 Days

in Washington will be invited.

daughter, Grace, from home.

The girl wrote to her father on Sunday that she had gone away to marry Von Kaynor. Cohen says he traced her to the